

RESOLUTION 2026 - 16

RESOLUTION OF INTENTION TO AMEND THE MAYNARD SUBDIVISION RURAL IMPROVEMENT DISTRICT, NO. 2005-1

WHEREAS, the Lewis and Clark County Board of Commissioners (Board) may order and create a Rural Improvement District (RID) whenever the public interest or convenience may require, Section 7-12-2102, MCA; and

WHEREAS, the Maynard Subdivision RID, No. 2005-1, was created by the Board on January 25, 2005, as Resolution 2005-11; and

WHEREAS, the Board may order and create a special improvement district solely for the purpose of road maintenance, if all of the roads to be maintained are public improvements, on the receipt of a petition of more than 50% of the area of the property proposed in the petition to be included in the district, Section 7-12-2102(2)(b)(ii), MCA; and

WHEREAS, a petition for the Maynard Subdivision RID, No. 2005-1 (the District), was submitted on January 28, 2026, for the purpose of amending the boundary of the district and providing maintenance on Maynard Road; and

WHEREAS, the petition was signed by 52% of owners of benefited lots within the District boundary; and

WHEREAS, the initial improvement completed on Maynard Road was a public improvement on a public road, as shown on the certificate of survey, Exhibit "D"; and

WHEREAS, the designated items set forth in Section 7-12-2103(2), MCA, are as follow:

- (a) The designated number of the District is 2005-1.
- (b) The benefited properties to be included in the District are listed in the petition, Exhibit "A" and shown on Exhibit "B". The road proposed for maintenance and the boundary of the District are shown on Exhibit "B".
- (c) The County Engineer or a designee will have charge of the work. The general character of maintenance includes, but is not limited to future surface treatment, including pothole patching, crack sealing, and chip sealing, sweeping, snowplowing and sanding, and other maintenance and repair as necessary to preserve Maynard Road. Annual maintenance is estimated to total \$3,610.00. Each benefited property is estimated to be assessed \$190.00, annually. Maintenance costs are detailed in Exhibit "C".
- (d) Costs shall be assessed equally, as described in Section 7-12-2151(1)(d), MCA.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners does hereby establish its intention to amend the Maynard Rural Improvement District, No. 2005-1, for the purpose of equitably funding maintenance within the District.

BE IT FURTHER RESOLVED that the Lewis and Clark County Public Works Department is authorized and responsible for coordinating proposed maintenance for roadways within the District.

BE IT FURTHER RESOLVED that written protests will be received from persons owning real



property within the proposed district for thirty (30) days after the first publication of notice, and that said protests must contain the printed landowner's name and address as it appears on the last assessment roll.

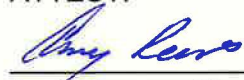
DATED this 26 day of March, 2026.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Tom Rolfe, Chair

ATTEST:



Amy Reeves, Clerk of the Board

Attachments:

- Exhibit "A"
- Exhibit "B"
- Exhibit "C"
- Exhibit "D"



Exhibit "A": Property Owners

PETITION TO CREATE THE MAYNARD RURAL IMPROVEMENT DISTRICT FOR ROAD MAINTENANCE

Petition Circulation Date: April 5, 2024

We the undersigned, owners of real property within the proposed Maynard Rural Improvement District (the "Proposed District"), located in Lewis and Clark County, Montana, do hereby petition the Board of County Commissioners to create the Proposed District for the purpose of maintaining the full extent of Maynard Road and a portion of Kerr Drive, within the Proposed District as authorized by MCA §7-12-2101, et. seq. and acknowledge that the roads have been in common and undisputed use by the public for a period of not less than five years.

A property owner list requiring at least 85% of the listed owners' signatures is attached as Exhibit "A", and the boundaries of the district are shown on the attached Exhibit "B".

The Proposed District is proposed for the maintenance of Maynard Road, located between McHugh Lane and Kerr Drive, and a portion of Kerr Drive, located at the intersection with Maynard Road, south approximately 200 feet. Maintenance activities funded by the Proposed District include snow plowing and sanding, pothole patching, crack sealing, sweeping, chip sealing, drainage maintenance, and other maintenance as needed to preserve the road improvements. Funding of annual maintenance is estimated to total \$3,610, and each benefited property is proposed to be levied an ongoing maintenance assessment of \$190.00, annually. This annual maintenance assessment will be evaluated each year and adjusted for inflation or maintenance needs as necessary. Any change in the assessment rate will result in written legal notice and the opportunity for protest during public hearing. Costs for maintenance are detailed in the attached Exhibit "C".

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District Policies and Procedures manual which is available for inspection at the Public Works Department Shop, located at 3402 Cooney Drive, Helena, Montana. Details, boundaries of the district, and benefited properties are ultimately the decision of the Board of County Commissioners. The details, boundaries, and benefited properties on this petition may be changed when resolutions establishing the district are considered, also resulting in increased or decreased estimated assessments. The final special assessment per lot may change due to a review of assessable lots by the Lewis and Clark County Property Tax Department.

It is anticipated the Proposed District will be administered by the County and the County will serve to coordinate the necessary work, collect the assessments, and disburse payments for the district. It is anticipated a private contractor would perform the improvements and maintenance. Lewis and Clark County, by action of the Board in creating the Proposed District, does not assume financial responsibility for the maintenance or improvement financed by the Proposed District.

If the County Commission adopts a resolution of intention to create the district upon receipt of this petition, affected property owners will receive mailed notification prior to a public hearing on a resolution to create the district with sufficient time to provide comments in support or protest.

Exhibit "A": Property Owners







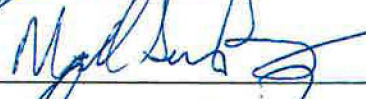

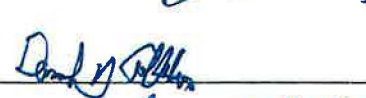

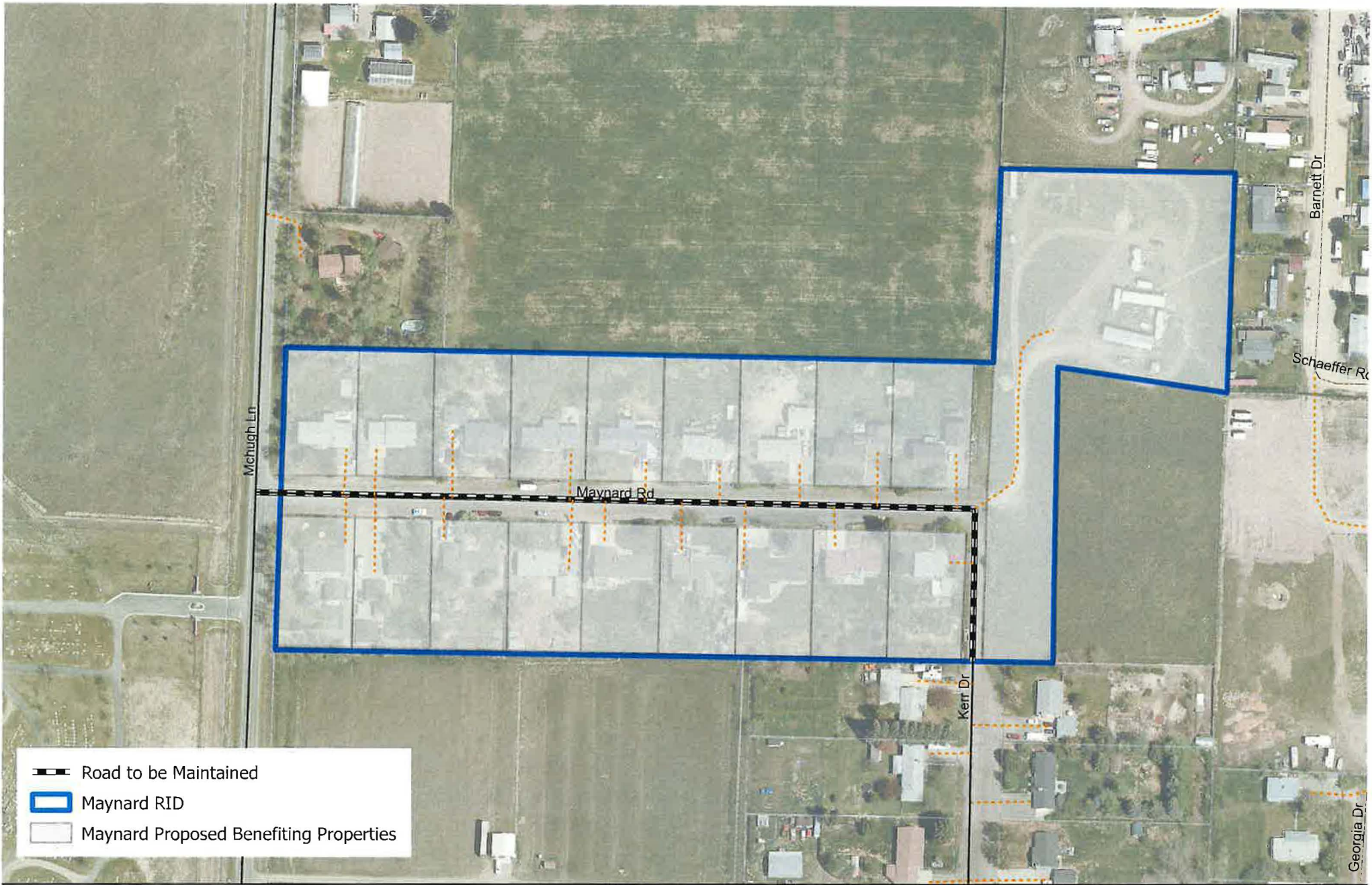
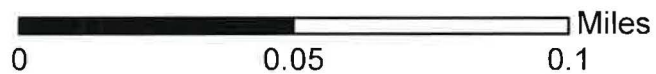
No.	Geocode	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
1		\$190.00	501 Maynard Rd Helena MT 59602	Christopher Jones		6/8/24
2		\$190.00	837 Maynard Rd Helena MT 59602	Daniel Steining		6/8/24
3		\$190.00	806 Maynard Rd Helena MT 59602	Alyssa Rasmussen		6/10/24
4		\$190.00	704 Maynard Rd, Helena MT 59602	Forrest Webster		06/09/2024
5		\$190.00	805 Maynard Rd Helena, MT 59602	Garnett Wenette		6/8/24
6		\$190.00	733 Maynard Rd Helena MT 59602	Dan Gungor		6/8/24
7		\$190.00	838 Maynard Rd Helena MT 59602	Mike Murphy		6/8/24
8		\$190.00	822 Maynard Rd Helena MT 59602	Courie Ferriter		7/14/24
9		\$190.00	765 MAYNARD HELENA MT	Daniel D Gilman		7/4/24
10		\$190.00	802 Maynard Rd Helena, MT 59602	Willis R. Gilman		7/17/24
11		\$190.00				

Exhibit "A": Property Owners

No.	Geocode	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
12		\$190.00				
13		\$190.00				
14		\$190.00				
15		\$190.00				
16		\$190.00				
17		\$190.00				
18		\$190.00				
19		\$190.00				



Proposed Maynard Rural Improvement District Exhibit "B"



**LEWIS AND CLARK COUNTY
PUBLIC WORKS DEPARTMENT**

MAINTENANCE AND ASSESSMENT SCHEDULE

RID NAME: **Maynard**

RID FUND #: 443
 PREPARED BY: Calob Marquis
 DATE: 4/4/2024
 BENEFITING PROPERTIES: 19
 YEAR CREATED: -

PROPOSED ASSESSMENT: \$ 190.00
 PROPOSED TOTAL ANNUAL ASSESSMENT: \$ 3,610.00

RID DESCRIPTION:

Road	Description of Limits	Surface	Length (ft)	Width (ft)	Area (sq ft)	Area (sq yd)
Maynard Rd	Mchugh Ln to Corner	Chipped	1125	28	31500	3500
Kerr Dr	200' South from Corner	Chipped	200	18	3600	400
TOTALS			1325	0	35100	3900

YEARLY MAINTENANCE:

Item	Description	Frequency/Year	Quantity	Units	Unit Price	Total Cost
1	Plowing/Sanding	2	3900	sq yd	\$ 0.03	\$ 234.00
2	Sweeping	0.14	3900	sq yd	\$ 0.12	\$ 65.52
3	Pothole Patching	1	1	ton	\$ 350.00	\$ 350.00
4	Crack Sealing	1	80	ft	\$ 2.50	\$ 200.00
5	Misc. (Signs, culverts, etc.)	0.5	3900	sq yd	\$ 0.05	\$ 97.50
						\$ 947.02

FUTURE MAINTENANCE:

Item	Description	Frequency	Quantity	Units	Unit Price	Total Cost
1	Chip Sealing	7 year	3900	sq yd	\$ 3.30	\$ 12,870.00
						\$ 12,870.00

COMMENTS:

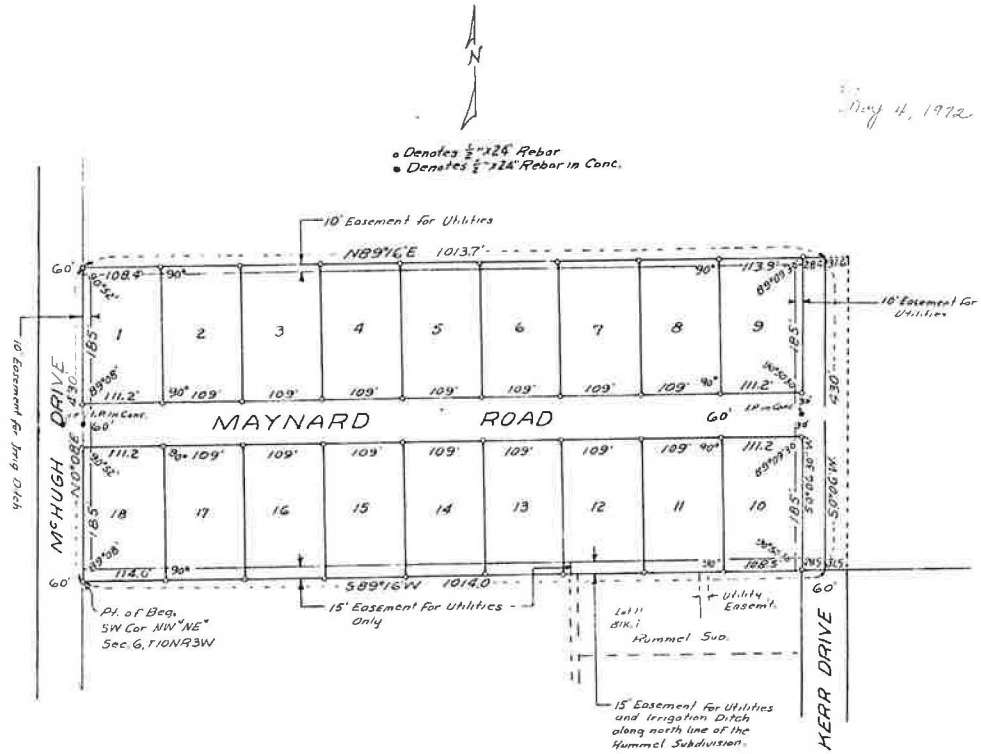
Inflation on construction costs based on: 2.50% per year
 Cash on Hand at End of FY: \$ 3,147.00
 Last Assessment: -
 Last Chipseal: 2021

FISCAL YEAR	ASSESSMENT	TOTAL ANNUAL ASSESSMENT	BALANCE & CASH ON HAND	CONSTRUCTION COST	MAINTENANCE (W/ INFLATION)	ADMIN	FUTURE MAINTENANCE
2023			\$ 3,147.00			\$ 42.00	
2024	\$ 190.00	\$ 3,610.00	\$ 5,629.48		\$ 947.02	\$ 180.50	
2025	\$ 190.00	\$ 3,610.00	\$ 8,088.78		\$ 970.70	\$ 180.00	
2026	\$ 190.00	\$ 3,610.00	\$ 10,523.82		\$ 994.96	\$ 180.00	
2027	\$ 190.00	\$ 3,610.00	\$ 12,933.98		\$ 1,019.84	\$ 180.00	
2028	\$ 190.00	\$ 3,610.00	\$ 757.43	\$14,561.22	\$ 1,045.33	\$ 180.00	chip seal
2029	\$ 190.00	\$ 3,610.00	\$ 3,115.96		\$ 1,071.47	\$ 180.00	
2030	\$ 190.00	\$ 3,610.00	\$ 5,447.71		\$ 1,098.25	\$ 180.00	
2031	\$ 190.00	\$ 3,610.00	\$ 7,752.00		\$ 1,125.71	\$ 180.00	
2032	\$ 190.00	\$ 3,610.00	\$ 10,028.15		\$ 1,153.85	\$ 180.00	
2033	\$ 190.00	\$ 3,610.00	\$ 12,275.45		\$ 1,182.70	\$ 180.00	
2034	\$ 190.00	\$ 3,610.00	\$ 14,493.18		\$ 1,212.27	\$ 180.00	
2035	\$ 190.00	\$ 3,610.00	\$ (628.11)	\$17,308.72	\$ 1,242.57	\$ 180.00	chip seal
2036	\$ 190.00	\$ 3,610.00	\$ 1,528.26		\$ 1,273.64	\$ 180.00	
2037	\$ 190.00	\$ 3,610.00	\$ 3,652.78		\$ 1,305.48	\$ 180.00	
2038	\$ 190.00	\$ 3,610.00	\$ 5,744.66		\$ 1,338.11	\$ 180.00	
2039	\$ 190.00	\$ 3,610.00	\$ 7,803.10		\$ 1,371.57	\$ 180.00	
2040	\$ 190.00	\$ 3,610.00	\$ 9,827.24		\$ 1,405.86	\$ 180.00	
2041	\$ 190.00	\$ 3,610.00	\$ 11,816.24		\$ 1,441.00	\$ 180.00	
2042	\$ 190.00	\$ 3,610.00	\$ (6,805.42)	\$20,574.63	\$ 1,477.03	\$ 180.00	chip seal
2043	\$ 190.00	\$ 3,610.00	\$ (4,889.37)		\$ 1,513.95	\$ 180.00	

Exhibit "D"

MAYNARD SUBDIVISION NO. 1

SITUATED IN THE NW⁴NE⁴, SECTION 6, T10N R3W



We, the undersigned, being the duly elected, qualified and acting Board of County Commissioners of Lewis and Clark County, State of Montana, do hereby certify that we have examined the foregoing plat of the Maynard Subdivision No. 1 and that said plat conforms to the laws of the State of Montana and therefore, we hereby order said plat approved and we further order that it be filed of record by the Clerk and Recorder of Lewis and Clark County as provided by law.

Robert E. Maynard
COUNTY CLERK

John P. Thomas
CHAIRMAN

William H. Thomas
COMMISSIONER

Shelton K. Smith
COMMISSIONER

CERTIFICATE OF DEDICATION

We, *Robert E. Maynard* and *Dora E. Maynard*, do hereby certify as owners that we have caused to be surveyed, subdivided, and platted 18 lots and roads, as shown by this plat and the Certificate of Survey herewith annexed, the following fractional tract of land in the county of Lewis and Clark, Montana, to-wit: the MAYNARD SUBDIVISION NO. 1, lying and being in the SW⁴NE⁴ of Section 6, Township 10 North, Range 3 West, P.M. Montana, Lewis and Clark County, the exterior boundaries of said MAYNARD SUBDIVISION NO. 1 being more particularly described as follows: Beginning at the southwest corner of the NW⁴NE⁴ of Section 6, Township 10 North, Range 3 West, thence N. 09°04' E., 130 feet along the east right-of-way line of McHugh Drive; thence S. 89°16' W., 1015.7 feet; thence S. 09°04' N., 130 feet to the north boundary line of the Hummel Subdivision; thence S. 89°16' W., 1011 feet to the point of beginning and containing 10.000 acres, said tract to be known and designated as the MAYNARD SUBDIVISION NO. 1, and the lands included in all roads and drive shown on the annexed plat are hereby granted and donated to the use of the public forever.

Dated this 17th day of July, 1972.

Robert E. Maynard
Dora E. Maynard

STATE OF MONTANA
County of Lewis and Clark

On this 17th day of July, 1972, before me, *Ernest Helton*, a Notary Public for the State of Montana, personally appeared *Robert E. Maynard* and *Dora E. Maynard*, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this instrument first hereinabove written.

Ernest Helton
Notary Public for the State of Montana,
Residing at Helena, Montana, Commission expires Feb. 19, 1973.

CERTIFICATE OF SURVEY

I, Paul R. Frickson, Montana Registered Land Surveyor No. 25545, being duly sworn, deposes and says that during the month of May, 1972, a survey was made under my supervision of a tract of land to be known as the MAYNARD SUBDIVISION NO. 1 in accordance with the provisions of Chapter 6, Title 11-601 through 616 inclusive, R.C.M. of 1947, said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that iron pin monuments were set at all points as shown on the plat; that the plat conforms to the work on the ground, and that the net area of said platted tract exclusive of roads is 8.37 acres.

Paul R. Frickson
Paul R. Frickson, Land Surveyor

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this 5th day of July, 1972.

227120

William H. Thomas
Notary Public in and for the State of Montana,
Residing at Helena, Montana, My Commission expires March 5, 1973.

STATE OF MONTANA
COUNTY OF LEWIS & CLARK

I hereby certify that the within instrument was filed among the records of the County of Lewis and Clark, Montana, on this 17th day of July, 1972, at 10:00 AM, and records of same are on file in the office of the County Clerk, Lewis and Clark County, Montana.

Shelton K. Smith
County Clerk

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STATE OF MONTANA
 STATE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
 CERTIFICATE OF REMOVAL OF SANITARY RESTRICTION
 (Section 69-5001 69-5005, R.C.M., 1947)

TO: County Clerk and Recorder
 Lewis & Clark County
 Helena, Montana

No. 25-72-667
 E.S. 72/150

THIS IS TO CERTIFY THAT the plans and supplemental information relating to individual water supply system and individual sewage disposal system for the subdivision known as Maynard Subdivision located in Lewis & Clark County, Montana, have been reviewed by engineers of the Environmental Sciences Division, and,

THAT the documents and data required by Section 69-5001 to 69-5005, Revised Codes of Montana, 1947 and the rules and regulations of this Board made and promulgated pursuant thereto have been submitted and found to be in compliance therewith, and,

THAT the lot sizes as indicated on the plat filed with the county clerk and recorder will not be further altered, and,

THAT the individual water system will consist of a drilled well constructed in accordance with the criteria established in Regulation 51.300 of the State Board of Health and Environmental Sciences to a recommended depth of 60 to 75 feet and will be located as indicated on typical plot plan, and,

THAT the individual sewage disposal system will consist of a septic tank and subsurface drainfield of such size and capacity as set forth in Regulation 51.300 and will be located as indicated on typical plot plan, and,

THAT each subsurface drainfield shall have a minimum absorption area of 85 square feet per bedroom, and,

THAT there shall be a minimum of four feet distance between the bottom of the drainfield and the maximum high groundwater elevation, and,

THAT plans for the proposed water and individual sewage systems will be reviewed and approved by the Lewis & Clark County Health Department before construction is started, and,

THAT departure from any criteria set forth in State Board of Health and Environmental Sciences Regulation 51.300 when erecting a structure and appurtenant facilities in said subdivision is grounds for injunction by the State Board of Health and Environmental Sciences.

NOW, THEREFORE, the sanitary restriction imposed by said Section 69-5001 to 69-5005, Revised Codes of Montana, 1947 upon said tract is hereby and herewith removed.

YOU ARE REQUESTED to record this removal of sanitary restriction by attaching the within certificate to the map or plat of said subdivision filed in your office as required by law.

DATED this fourth day of May, 1972.

FOR THE STATE DEPARTMENT OF HEALTH
 AND ENVIRONMENTAL SCIENCES

Claiborne W. Brinck
 Claiborne W. Brinck, P.E.
 Assistant Administrator
 Environmental Sciences Division



Shirley D. ...
 County Clerk and Recorder
 Lewis & Clark County
 Helena, Montana

STATE OF MONTANA
 COUNTY OF LEWIS & CLARK
 hereby certify that the within instrument was filed in my office on this 4th day of May 1972 at 10:00 AM.
 Shirley D. ...
 County Clerk and Recorder

2256C7

